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Counsel to the Official Committee of Tort Claimants

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**PRELIMINARY REPORT OF
OFFICIAL COMMITTEE OF TORT
CLAIMANTS' INVESTIGATION OF
VOTING RESULTS**

1 **TO THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY**
2 **JUDGE:**

3 The Official Committee of Tort Claimants (the “TCC”) submits the following report of its
4 investigation into the solicitation and tabulation of fire victim votes in response to the Court’s
5 request made during the hearing held on June 5, 2020.

- 6 1. Some fire victims have filed papers and contacted the TCC with complaints about
7 the Debtors’ solicitation and tabulation of votes from the fire victim class. The
8 complaints allege, among other claims: victim’s non-receipt of voting ballots and
9 disclosure materials before the voting deadline; receipt of voting ballots and
10 disclosure materials too close to the voting deadline; receipt of multiple ballots for
11 the same claimant; receipt of solicitation materials from the incorrect law firm;
12 issues with submission of votes in connection with the Master Ballot process; and
13 the alleged failure of Prime Clerk to respond to fire victim inquiries.
- 14 2. In response to these allegations, the TCC requested PG&E to produce information
15 relating to the solicitation and tabulation process and to supplement the data it
16 attached to court filings, including the Declaration and Certificates of Service of
17 Christina Pullo from Prime Clerk LLC [Docket Nos. 6893, 7348, 7505]. The
18 Debtors responded to all of the TCC’s requests for information and data to date
19 and made representatives from Prime Clerk available to the TCC and its
20 consultants to respond to the TCC questions about the data and tabulation process.
- 21 3. The TCC’s counsel and consultants have reviewed the above-referenced data as
22 well as Ms. Pullo’s testimony before this Court and are close to completing their
23 analysis of this information. The TCC is without sufficient information to
24 determine why certain fire victims failed to submit a vote (including whether any
25 particular fire victim received a solicitation package). However, the TCC
26 compared the Debtors’ data on tabulated and excluded fire claimant votes to the
27 TCC’s fire claimant data developed during the course of the estimation proceeding
28 in order to address many of the concerns outlined above, including those relating

1 to duplicative and excluded votes as well as certain concerns relating to the Master
2 Ballot Process.

- 3 4. To date, the TCC's counsel and consultants have not identified any evidence of a
4 voting issue in the data that the consultants believe would have affected the two
5 thirds threshold required for approval by the fire victim class.
- 6 5. The TCC intends to continue its investigation until concluded. If requested by the
7 Court, the TCC will file a report with the Court on the results of its investigation in
8 two weeks.
- 9

10 Dated: June 9, 2020

Respectfully submitted,

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12 BAKER & HOSTETLER LLP

13 By: /s/ Kimberly S. Morris

Robert A. Julian

Kimberly S. Morris

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15 *Counsel to the Official Committee of Tort*
16 *Claimants*

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